

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NORTHEASTERN DIVISION

JOSHUA LEE CARROLL and WILLIAM)	
CARTER KING,)	
)	
Plaintiffs,)	
)	
v.)	NO. 2:11-0019
)	Judge Sharp/Bryant
LAUREL WASIK, et al.,)	Jury Demand
)	
Defendants.)	

REPORT AND RECOMMENDATION

Defendant Laurel Wasik has filed her motion to dismiss the claims of plaintiff Joshua Lee Carroll on grounds of failure to prosecute and failure to notify the Court of this plaintiff's current address (Docket Entry No. 118). Plaintiff Carroll has filed no response in opposition. Moreover, the record includes numerous mailings to plaintiff Carroll that have been returned by the Post Office marked "not deliverable as addressed - unable to forward."

Both plaintiffs were forewarned by the Court that their failure to keep the Clerk's Office informed of their current address would jeopardize their prosecution of this action (Docket Entry No. 4 at 2-3). Despite this admonition, it appears from this record that plaintiff Carroll has failed to inform the Clerk of his current address and has otherwise failed to prosecute this action.

For the foregoing reason, the undersigned Magistrate Judge finds that plaintiff Carroll's complaint should be dismissed for failure to prosecute and for failure to keep the Clerk informed of his current address.

RECOMMENDATION

For the reasons stated above, the undersigned RECOMMENDS that plaintiff Carroll's complaint be DISMISSED pursuant to Rule 41(b) of the Federal Rules of Civil Procedure.

Under Rule 72(b) of the Federal Rules of Civil Procedure, any party has fourteen (14) days from service of this Report and Recommendation in which to file any written objections to this Recommendation, with the District Court. Any party opposing said objections shall have fourteen (14) days from receipt of any objections filed in this Report in which to file any responses to said objections. Failure to file specific objections within fourteen (14) days of receipt of this Report and Recommendation can constitute a waiver of further appeal of this Recommendation. Thomas v. Arn, 474 U.S. 140 (1985), reh'g denied, 474 U.S. 1111 (1986).

ENTERED this 2nd day of April 2013.

s/ John S. Bryant
JOHN S. BRYANT
United States Magistrate Judge